

MODIFYING THE PROJECT FOR THE ST. MARYS RIVER, MICH.,
SOUTH CANAL, IN ORDER TO REPEAL THE AUTHORIZATION FOR
THE ALTERATION OF THE INTERNATIONAL BRIDGE AS PART
OF SUCH PROJECT, AND TO AUTHORIZE THE SECRETARY OF
THE ARMY TO ACCOMPLISH SUCH ALTERATION

JUNE 20, 1956.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. BLATNIK, from the Committee on Public Works submitted the
following

R E P O R T

[To accompany S. 2210]

The Committee on Public Works, to whom was referred the bill (S. 2210) to modify the project for the Saint Marys River, Mich., South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to repeal the authorization for the alteration of the International Bridge across the St. Marys River at Sault Ste. Marie, Mich., owned by the Sault Ste. Marie Bridge Co., as a part of the project for the St. Marys River, Mich., South Canal, and to authorize the Secretary of the Army to accomplish such alteration under an agreement with the bridge owners, and to apportion the cost of such alteration in accordance with section 6 of the act approved June 2, 1940, the Truman-Hobbs Act.

GENERAL STATEMENT

The River and Harbor Act of 1945 (59 Stat. 10) provided for alteration of the International Bridge at Sault Ste. Marie, Mich., with the bridge owner paying 16 percent of the cost of alteration and the Federal Government 84 percent. The bridge owner's share, based on the

estimated construction cost at that time and the apportionment formula contained in the Truman-Hobbs Act, was \$107,300. Due to the changes in price levels between 1945 and the present time, the estimated cost of the alteration is now \$2,620,000, and the bridge owner's share based on 16 percent would be \$419,200. Since all elements of cost in the formula do not vary directly with increased construction cost, if the formula of section 6 of the Bridge Alteration Act was now applied, the bridge owner's share would be approximately \$262,000.

The bridge was completed in 1888 with a swing span. It is proposed to convert this span to a lift span with adequate navigation clearance.

Public Law 163, the public works appropriation bill for 1956 included \$338,000 for construction work on this bridge and the removal of Bridge Island.

Senate Report No. 700, 84th Congress, 1st session, on the bill which became Public Law 183, 84th Congress, contains the following proposed language on this item:

: *Provided further*, That the funds appropriated herein for the replacement of the Soo Line Railroad bridge over the South Canal at St. Marys Falls Canal, Sault Ste. Marie, Michigan, shall be available for the replacement of said bridge under the terms of the Truman-Hobbs Act, as amended (54 Stat. 499, as amended), in lieu of the replacement of said bridge, as a part of the project for the removal of Bridge Island, authorized by the River and Harbor Act approved March 2, 1945.

The proposed language was deleted from the bill by the conference committee.

The committee is advised that this alteration is urgently needed and recommends that the necessary legislation be enacted. It believes that it would be fair and equitable to compute the owner's share at this time by the same method used in computing the bridge owner's share in 1945, thus placing the apportionment of the costs of altering this bridge on the same basis as the apportionment of the costs of altering other similar bridges that have been declared an obstruction to navigation.

A report from the Secretary of the Army on a companion bill, H. R. 6995, indicating approval of the legislation is as follows:

DEPARTMENT OF THE ARMY,
September 27, 1955.

HON. CHARLES A. BUCKLEY,
Chairman, Committee on Public Works,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to H. R. 6995, 84th Congress, 1st session, a bill to modify the project for the St. Marys River, Mich., South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration.

The Department of the Army offers no objection to favorable consideration of H. R. 6995.

The act of March 2, 1945 (59 Stat. 10) provided for alteration or the International Bridge with the bridge owner paying for 16 percent of the cost of alteration. The 16 percent was based upon the apportionment formula of section 6 of the Bridge Alteration Act approved 21 June 1940, as amended, and, based on the then estimated construction cost, amounted to \$107,300. The present estimated construction cost of the alteration is \$2,620,000 of which the bridge owner's share, based on the 16 percent, would be \$419,200. However, if the formula of section 6 of the Bridge Alteration Act was now applied, the bridge owner's share would be approximately \$262,000. This is for the reason that all elements of cost in the formula do not vary directly with increased construction cost.

Section 2 of the bill would authorize the Secretary of the Army to accomplish the alteration of the International Bridge under an agreement with the owners and to apportion the cost in accordance with section 6 of the Bridge Alteration Act approved 21 June 1940, as amended. Since the above method was used originally in computing the owner's share in 1945, it is considered fair and equitable that the same method be used in computing the owner's share at this time.

The Bureau of the Budget advises that there is no objection to the submission of a similar report on S. 2210, an identical bill.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

○

The International Law Association, which was founded in 1906, is a non-governmental organization of jurists and legal scholars from various countries. Its primary purpose is to promote the study and development of international law. The Association holds annual sessions where members discuss current legal issues and draft resolutions. It also publishes a journal and organizes conferences. The Association's work is based on the principle of cooperation between nations to maintain peace and justice. Its efforts are directed towards the codification and progressive development of international law. The Association's members include judges, professors, and legal practitioners from many different countries. Through its various activities, the Association aims to foster a better understanding of international law among the general public and to influence the development of the law in a way that promotes the common good of all nations.

THE JOURNAL OF THE INTERNATIONAL LAW ASSOCIATION
PUBLISHED BY THE ASSOCIATION
LONDON, 1910